



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mansky et al.

Group Art Unit: 2857

Serial No.: 09/210,485

Examiner: H. Wachsman

Filed: December 11, 1998

For: APPARATUS FOR RAPID SENSOR-ARRAY BASED MATERIALS
CHARACTERIZATION

Attorney Docket No.: 1012-001(98-23)

05/22/2003
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36/Terminal
Disclaimer

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TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Without conceding the same is necessary, but in order to expedite prosecution, this Terminal Disclaimer is being filed to overcome a double patenting rejection issued by the Examiner in the above referenced patent application.

Accordingly:

1. Symyx Technologies, Inc., the assignee of record of the present application, as well as on U.S. Patent No. 6,477,479 through its attorney, hereby disclaims and dedicates to the public the term of any patent which issues from the present application which extends beyond the expiration date of U.S. Patent No. 6,477,479.

2. Symyx Technologies, Inc., through its attorney, further agrees and acknowledges that any patent granted on the present application shall be enforceable only for and during the period that said patent is commonly owned with said U.S. Patent No. 6,477,479. This agreement runs with any patent granted on the instant application and is binding upon the grantor, its successor or assignees.

3. In making the above disclaimer, Symyx Technologies, Inc., through its attorney, does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,477,479 in the event that it: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or

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terminally disclaimed under 37 CFR 1.321(b), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title above.

Please charge the fee of \$110.00 to Deposit Account 50-0496. If any additional fee is due with the filing of this paper please charge the amount to deposit account 50-0496.

Respectfully submitted,

Dated: 3-20, 2003



Scott A. Chapple
Registration No. 46,287
DOBRUSIN & THENNISCH PC
401 S. Old Woodward Ave., Ste. 311
Birmingham, MI 48009
(248) 593-9900


Customer No. 25215

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SHARON S. HORPE
PARALEGAL SPECIALIST
TECHNOLOGY CENTER 2800.